 <p>ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 505.10	Page 1 of 5
	Effective Date: August 1, 2007	
	Distribution: B	
	Supersedes: 505.10 (9/15/06)	
Approved by: George M. Little		
Subject: WORK RELEASE JOB PLACEMENT		

- I. AUTHORITY: TCA 4-3-605, TCA 4-3-606, TCA 40-28-123, TCA 41-21-234, TCA 41-21-511, TCA 41-21-514, and TCA 41-24-110.
- II. PURPOSE: To establish qualification criteria and procedure for work release job placement.
- III. APPLICATION: To all Tennessee Department of Correction (TDOC) employees and inmates, privately managed facilities, and Tennessee Rehabilitative Initiative in Correction (TRICOR) sites that have a work release program.
- IV. DEFINITIONS:
  - A. Pre-Release Program: A 50 day/270 minimum hour program designed to foster community safety by providing programs and support for offenders soon to reenter the community.
  - B. T-Crest Program: An open-ended, therapeutic substance abuse treatment program consisting of four phases. Inmates are eligible for work release consideration when they enter phase three of the program.
  - C. Transition Program: An intense, nine-month Therapeutic Treatment program that is divided into three phases.
  - D. Work Release Coordinator: A TDOC staff member whose job duties include being responsible for developing a work release program, reviewing the inmate's record prior to work release placement, and monitoring of inmates on work release status.
- V. POLICY: TDOC inmates shall be selected for participation in the work release program following specified criteria, and shall adhere to established guidelines for participation.
- VI. PROCEDURES:
  - A. Only those inmates who have successfully completed Phase I and Phase II of a Transition Center, or Phase I and Phase II of a T-Crest Program, or a formal Pre-release Program as defined by Policy #511.02, shall be eligible for work release consideration. The criteria for work release consideration is as follows:
    1. Inmates must be eligible for annex placement as defined by Policy #404.07.
    2. Inmates must not have had a Class A or B disciplinary conviction within the last 12 months.

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3. Inmates whose current conviction or a prior conviction includes a sex offense, (or Murder 1 to complete a transition center program); must have approval from the Assistant Commissioner of Operations prior to being approved for work release.
  4. Inmates who are confirmed STG members will only be eligible for work release consideration after successfully completing the STG program (males) or renouncing (females or males) and completing the one year monitoring period. The TDOC STG Coordinator will screen and approve all confirmed STG members prior to work release consideration.
- B. Inmates must agree to the specific conditions of the work release program regarding employment hours and location.
1. All work release inmates shall agree to incur the cost of electronic monitoring, transportation, and other expenses as directed in Policies #208.02, #513.01, and #503.05.
  2. The inmate shall agree to participate in a specific restitution program as directed by Policy #513.01.
- C. Inmates who have graduated from any of the three specified programs prior to parole/expiration of sentence may remain on work release, depending on space availability but shall be moved from the program area beds. Inmates whose parole board decision impacts their release by one year or more will be reviewed for continued work release status by the Warden or designee. Inmates must pass a drug test prior to work release approval. Drug tests will then be conducted no less than once a month at random intervals for the duration of the time on work release status.
- D. Inmates who are participants in a transition center and not approved for work release consideration shall be placed in an alternative work assignment with TDOC or other state agency supervision.
- E. Inmates who are currently on work release and who do not meet the eligibility criteria established by the effective date of this policy shall remain on work release status until such time that they leave incarceration, lose the privilege of work release status by a disciplinary conviction, or are reviewed as a result of a parole decision that impacts their release by one year or more. The Warden shall be the final approving authority on all recommendations for work release job placement. Assignments will be made in accordance with Policies #505.07 and #505.01.
- F. All institutions with a work release program will develop an in-house policy to address the receipt and storage of work release clothing, transportation, and monitoring.
1. Prior to the inmate beginning employment, the work release coordinator or designee will ensure that both the employer and the inmate read and sign the Work Release Code of Conduct Agreement, CR-3669.

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2. All work release jobs and locations shall be screened and approved through the Work Release Coordinator.
  - a. The work hours will be established by the appropriate institutional staff.
  - b. The total workweek hours must not exceed 48 hours. If special circumstances require additional hours, any hours over 48 hours will be approved in advance by the Warden.
  - c. All job locations must be on or near a city bus line or arrangements for transportation approved by the institution prior to accepting employment.
  - d. Prior to beginning employment, the work release coordinator will meet with the employer and the inmate to discuss the Rules of Employment Memorandum of Understanding (MOU). Once a clear understanding of the MOU is established, the Rule of Employment MOU will be signed and copies will be distributed to the employer, the inmate, the work release coordinator, and the inmate's file.
  - e. Employers of inmates in work release programs must agree to provide work schedules once per week, if other than a fixed schedule, and notify the Work Release Coordinator in writing of any changes at least 24 hours in advance, excluding weekends.
  - f. Every inmate shall have at least one day off per week.
  - g. Employers shall provide workman's compensation insurance as required by law.
  - h. Information regarding work release such as employer name, address, telephone number, and contact person shall be documented on TOMIS screen LJEC (Program Notes) by the Work Release Coordinator.

VII. ACA STANDARDS: 4-4443 and 4-4444.

VIII. EXPIRATION DATE: September 15, 2009.



**TENNESSEE DEPARTMENT OF CORRECTION  
EMPLOYER / INMATE  
WORK RELEASE  
CODE OF CONDUCT AGREEMENT**

\_\_\_\_\_  
**INSTITUTION/FACILITY ASSIGNED**

_____ Inmate Name	_____ Number
_____ Work Release Coordinator	_____ Telephone No.
Employers Work Address: _____	
_____ _____ _____ _____	_____ Supervisor's Name
	_____ Supervisor's Telephone No.
Work Days _____	Times _____
Days Off: _____	Pay Period: _____
Pay Rate: _____	
Job Title or Brief Description of Job Duties: _____	

The Tennessee Department of Correction (TDOC) is pleased to be able to work with your company in placing an inmate worker under your employment. The inmate is working on the final segment of his incarceration with a goal of full release back into the community. A successful work experience on his part is a vitally important step in reaching this goal. The department has found, over the years, that a clear understanding and appreciation of work expectations both on the part of the inmate and the employer, prior to placement on the job is beneficial to all concerned. Therefore, the following EMPLOYER/INMATE - WORK RELEASE CODE OF CONDUCT AGREEMENT is presented:

1. The inmate's Work Release Coordinator (WRC) will visit the worksite at least twice per month to get a progress report from the supervisor, and will contact the supervisor by telephone once per week. If there are any work habits or performance problems which cause employer concern, these should be discussed with the WRC.
2. If the inmate is not at his work site at the designated time or if the inmate is going to be terminated, the employer should call (\_\_\_\_\_) \_\_\_\_\_ extension \_\_\_\_\_ or \_\_\_\_\_, or fax (\_\_\_\_\_) \_\_\_\_\_ immediately. If termination is eminent, the institution should be contacted prior to the termination, if possible.
3. Inmates shall be compensated by company check only. Cash payments are not allowed. It is required that the inmate/employee's payroll check be mailed to the institution or direct deposit instead of being given to the employee. If the inmate receives tips, they will be deposited daily by the inmate upon returning to the institution.
4. Employer must notify the WRC or the unit manager of work hour changes or overtime hours required. A seventy-two (72) hour advance notice is requested in order to provide time for transportation preparations. Changes to work hours and /or work days may be denied by the TDOC facility for any reason. Emergency requests will be considered on a case-by-case basis.
5. Inmates are not allowed personal visits while at work.
6. Inmates are not permitted to make or receive personal telephone calls while at work.
7. Any inmate job assignment, which requires the inmate to be away from the primary job site, must be pre-arranged (72 hours advance notice requested). In the WRC's absence/unavailability the Unit Manager should be contacted.

**TENNESSEE DEPARTMENT OF CORRECTION  
EMPLOYER / INMATE  
WORK RELEASE  
CODE OF CONDUCT AGREEMENT**

\_\_\_\_\_  
INSTITUTION/FACILITY ASSIGNED

8. Inmates are not allowed to incur financial obligations (i.e., Christmas clubs, 401K, credit union deductions, etc.) without the prior written permission of the warden.
9. An inmate will be transported to his place of employment and remain there until completion of his workday. Upon completion of the workday, the Supervisor will call the institution for pick up by an official from the institution, and be taken back to the facility. All inmates must be transported to and from work by TDOC transportation.
10. Inmate must not leave the designated work site at any time without written authority from the Work Release Program Coordinator.
11. Possession and/or use of controlled substances is prohibited. Inmates cannot visit, nor work in establishments where sale of alcoholic beverages is the primary source of business.
12. Inmates are prohibited from accepting gifts or gratuities from employers or work associates.
13. Inmates will be drug tested at the TDOC facility at least monthly if not more frequently.
14. Inmates are not allowed to drive or operate any company vehicle unless prior written permission is granted by the warden.
15. Inmates cannot attend company parties, picnics, etc, without prior written permission of the warden.
16. The employer, with a dependable worker while at the same time allowing the inmate to perform in a predictable job environment, provides any specialized training needed by the inmate.

By affixing signatures below, all parties acknowledge their awareness and understanding of the above.

\_\_\_\_\_  
Employer (Supervisor)


\_\_\_\_\_  
Date

\_\_\_\_\_  
TDOC WRC or Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Inmate

\_\_\_\_\_  
Date

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	Effective Date: June 1, 2008	
	Distribution: B	
	Supersedes: N/A	
Approved by: George M. Little		
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POLICY CHANGE NOTICE 08-21

INSTRUCTIONS:

Please add the following TCA citation to Section I.:

“TCA 40-35-213.”

Please change Section VI.(A)(3) to read as follows:

- “3. Inmates whose current conviction or a prior conviction includes Murder 1 must be recommended by the Warden, and must have approval from the Assistant Commissioners of Operations and Rehabilitative Services prior to being approved for work release.”

Please change Section VI.(E) to read as follows:

- “E. Unless prohibited by law, inmates who are currently on work release and who do not meet the eligibility criteria established by the effective date of this policy, shall remain on work release status until such time that they leave incarceration, lose the privilege of work release status by a disciplinary conviction, or are reviewed as a result of a parole decision that impacts their release by one year or more. Sex offenders are prohibited by law from work release placements into the community, except for a work assignment to TRICOR or any TRICOR facility. The Warden shall be the final approving authority on all recommendations for work release job placement. Assignments will be made in accordance with Policies #505.07 and #505.01.”